

SIKKIM

GOVERNMENT



GAZETTE

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LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 17/LL/78

Dated Gangtok, the 26th September, 1978.

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 25th day of September, 1978 is hereby published for general information.

SIKKIM ACT No. 18 OF 1978.

THE SIKKIM VIGILANCE POLICE ACT, 1978.

AN

ACT

to make provision for the constitution, superintendence and administration of the Sikkim Vigilance Police as a special police force in the State of Sikkim;

It is hereby enacted in the Twenty-ninth Year of the Republic of India by the Legislature of Sikkim as follows:—

Short title, Extent, and commencement.

1. (1) This Act may be called the Sikkim Vigilance Police Act, 1978.

(2) It extends to the whole of Sikkim.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Constitution and powers of Sikkim Vigilance Police.

2. (1) Notwithstanding anything in the Sikkim Police Act, 1969, or any other law for the time being in force relating to the organisation or re-organisation of the police, the state Government may constitute a special police force to be called the Sikkim Vigilance Police for the investigation of offences notified under section 3.

(2) Subject to any orders which the State Government may make in this behalf, members of the said police force shall have, in relation to the investigation of such offences and arrest of persons concerned in such offences, all the powers, duties, privileges and liabilities which police officers holding corresponding ranks in the ordinary police force of the State have in connection with investigation of offences, and shall for the purpose of

conferment of powers under any law for the time being in force be deemed to be police officers holding corresponding ranks in the ordinary police force of the state.

- (3) Any member of the said police force of or above the rank of sub-Inspector may, subject to any orders which the State Government may make in this behalf, exercise, in discharging his functions under sub-section (2), any of the powers of the Officer-in-Charge of a police Station in the area in which he is for the time being posted and when so exercising such powers, shall, subject to any such orders as aforesaid, be deemed to be an Officer-in-Charge of a police station discharging the functions of such an Officer within the limits of his station.

Offences to be investigated by the Sikkim Vigilance Police.

Superintendence and administration of the Sikkim Vigilance Police.

3. The state Government may, by notification in the Official Gazette, specify the offences or classes of offences which are to be investigated by the Sikkim Vigilance Police

4. (1) The Superintendence of the Sikkim Vigilance Police shall vest in the Home (Vigilance) Department of the State Government.

- (2) The Sikkim Vigilance Police shall also make enquiries into other matters as may be referred to it by the Home (Vigilance) Department and shall submit report.

- (3) The administration of the Sikkim Vigilance Police Force shall vest in an Officer appointed in this behalf by the State Government who shall be called Director of Vigilance and who shall exercise, in respect of the said force, such of the powers exercisable by the Inspector General of Police in respect of the ordinary police force of the State, as the State Government may specify in this behalf.

Power to make rules.

Application of other laws.

5. The State Government may make rules for regulating the functioning of the Sikkim Vigilance Police and generally for carrying out the purposes of the Act.

6. Save as otherwise provided in this Act, the provisions of the Sikkim Police Act, 1969, and any other law for the time being in force relating to organisation or re-organisation of police and of the rules and regulations made thereunder, as they apply in relation to members of the ordinary police force of the State, shall apply in relation to the members of the said force subject to such adaptation, whether by way of modification, addition or omission, as may be made therein by the State Government consistently with the purposes of this Act.

By order of the Governor,

B. R. PRADHAN

Secretary to the
Government of Sikkim,
Law & Legislative Department.

F. 16 (64) LL/78.